

State of Alaska FY2011 Governor's Operating Budget

**Department of Administration
Alaska Public Offices Commission
RDU/Component Budget Summary**

RDU/Component: Alaska Public Offices Commission

(There is only one component in this RDU. To reduce duplicate information, we did not print a separate RDU section.)

Contribution to Department's Mission

Administer Alaska's disclosure statutes and publish financial information regarding the activities of election campaigns, public officials, lobbyists and lobbyist employers.

Core Services

- Disclose information for informed decision making by Alaskans.
- Administer laws upholding the public's right to know the financial affairs of lobbyists and their employers, public officials, political groups, and candidates for state and municipal office.
- Interpret the disclosure laws and assist persons in complying, conduct training seminars, provide reporting forms and manuals of instruction for candidates, groups, lobbyists, and public officials.
- Examine and compare reports for possible violations of the disclosure laws, and enforce the laws through compelling the filing of required reports, civil penalty assessments, and complaint investigation.

Results at a Glance

(Additional performance information is available on the web at <http://omb.alaska.gov/results>.)

END RESULT A: Accountable Election Campaigns

- Fifteen complaints were filed with the Alaska Public Offices Commission in FY2009. Of those, five were resolved in 90 days or less; three took greater than 90 days and seven are still pending. Of the cases still pending four are highly complex.

Status of Strategies to Achieve End Result

- Although additional staff have been hired, they have not yet been able to significantly reduce the time to reach final decision on advisory opinions.

END RESULT B: Education of Filers

- Fifteen advisory opinion requests were made in FY2009. Of those, only one was not reviewed by the APOC within 90 days.

Status of Strategies to Achieve End Result

- Although additional staff have been hired, the APOC has not yet been able to significantly reduce the time to reach final decision on advisory opinions. As staff gain experience and training improvements in this area are expected.

Key Component Challenges

1) The most significant challenge APOC faces in FY2011 relates to the transitional nature of changing from a paper filing, paper depository method to electronic filing and a modern, easy to access, electronic library. The electronic filing system, called Insight, began development in FY2008. Insight was to be implemented in three parts or modules: the Lobbyist Module; the Public Official Financial Disclosure and Legislative Financial Disclosure Module; and the Campaign Disclosure module. Earlier versions of the Lobbyist Module experienced technical difficulties and a new version has just recently been released for use by lobbyists. There are some minor issues which are being addressed but the project has been largely successful.

The scope of work has just been developed for the Public Official Financial Disclosure and Legislative Financial Disclosure Module. Funding from the FY2010 capital project will be used for this purpose. It is anticipated that online filing for certain public official reporting groups may begin before the upcoming March 15, 2010 reporting deadline. However it is not anticipated to be complete until the end of FY2010 or the beginning of FY2011.

Until the Insight filing system is complete, filers will either file using the current system of Excel spreadsheets or file by paper. This will delay publication of financial information related to campaigns due to the lengthy process of hand entering or scanning forms.

2) The 2008 election year combined with the hiring and training of new staff, has slowed the commission's progress in working on multiple regulations projects. The commission will be developing regulations in multiple phases, covering both FY2010 and FY2011. Regulations have not been modified for many years, resulting in confusion for filers and the public. Regulations need to be aligned with recent statutory changes enacted in FY2008 as well as to effect necessary changes exemplified by recent commission decisions and/or to align regulations with statutory intent. This multi-phase regulation project will involve a Request for Professional Services and is expected to take at least 18 months to complete, extending through FY2011.

Significant Changes in Results to be Delivered in FY2011

The financial disclosure requirements for executive branch and legislative officials were expanded under the Comprehensive Ethics Reform Act of 2007. These changes require more interactions with filers in assisting them to file complete, accurate and timely reports. In addition, the ethics reform legislation mandated an ethics training program for lobbyists and lobbyist employers. Finally, the 2007 legislation provided for mandatory electronic filing of all disclosure reports required by the statutes administered by APOC. This mandate became fully effective on January 1, 2009.

The capital project for electronic filing is behind schedule. The Phase 2 Insight project cost and schedule will be delivered in two fiscal years. Funds for FY2010 will be utilized for the successful completion of the Lobbyist module and for laying the groundwork for the Public Official Financial Disclosure and Legislative Financial Disclosure module.

This project will fundamentally change the way the Commission conducts its business. It should result in easier, more streamlined filing by those who are required by law to file financial statements with APOC, while providing more information in a timely manner to the public. Along with the improved filing capabilities, staff time, which is currently used to manually input or upload filed reports, will be better utilized in auditing, answering advisory opinions, and performing training and outreach for the public. Educating the public and filers and providing better tools for compliance will be beneficial. Following the two priority projects above, the agency will be able to analyze its staffing needs more accurately.

Major Component Accomplishments in 2009

- Executive Director prepared a Strategic Management Plan to reorganize the agency in the pattern of a law office, converting staff to Associate Attorney I/II; Paralegal I/II and Law Office Assistant I/II, in order to capitalize on efficiencies in delegation and allow for more upward mobility within the agency. The agency has 12 full time positions.
- Ethics and compliance training developed/delivered (either in person or web based) by APOC for lobbyists/employers of lobbyists [Conducted in-person lobbyist training in Anchorage: January 7-9 (4 sessions) and in Juneau: January 20-21 (4 sessions)]
- Testing of APOC's electronic filing system (Insight) requires significant staff time and resource during this initial phase in spring/summer of 2009.
- Lobbyist Module went live during first quarter of FY 10 and had some programming issues which were identified and fixed in the second quarter of FY 10.
- Twenty Alaska Public Offices Commission meetings were held.

Statutory and Regulatory Authority

AS 15.13 Campaign Disclosure Law

2 AAC 50.250-405 Administrative Regulations for Campaign Disclosure

- Requires candidates and groups to make public all contribution and expenditure activity; all contributors must be listed by name, and address; contributors who give more than \$250 must be further described by their occupation and employer. The law limits contributions, prescribes campaign periods, and prohibits certain activities.

AS 24.50 Regulation of Lobbying Law

2 AAC 50.505 - 545 Administrative Regulations for Lobbying

- Requires individuals who receive compensation for attempting to influence the actions of state legislative or executive officials to register and file reports disclosing their compensation and expenditures in connection with lobbying. Those who pay individuals to attempt to influence officials' action must also disclose all expenditures connected with lobbying activities. The law limits lobbyists' gifting activities, and prohibits lobbyists from participating in some state election campaign activities.

AS 24.60.200-260 Legislative Financial Disclosure Law
2 AAC 50.705-890 Administrative Regulations for Legislative Financial Disclosure Law

- Requires legislators and legislative directors to make public their sources of income and indebtedness, thereby assuring the public that their decision making is free from the influence of undisclosed influences.

AS 39.50 Public Official Financial Disclosure Law
2 ACC 50.010-200 Administrative Regulations for Public Official Financial Disclosure Law

- Requires state and municipal officials to make public their sources of income and indebtedness thereby assuring the public that their decision making is free from the influence of undisclosed influences.

2 AAC 50.905-920 Administrative Regulations Implementing Advisory Opinions
2 AAC 50.450-470 Administrative Regulations Implementing Complaints & Investigations

Article II, Sec 12 Alaska State Constitution-Lobbying

Contact Information
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Alaska Public Offices Commission Component Financial Summary

All dollars shown in thousands

	FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	873.8	969.1	993.9
72000 Travel	34.7	25.0	25.0
73000 Services	305.8	271.1	271.1
74000 Commodities	21.0	9.7	9.7
75000 Capital Outlay	0.0	1.5	1.5
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,235.3	1,276.4	1,301.2
Funding Sources:			
1004 General Fund Receipts	1,190.4	1,231.5	1,256.3
1005 General Fund/Program Receipts	44.9	44.9	44.9
Funding Totals	1,235.3	1,276.4	1,301.2

**Summary of Component Budget Changes
From FY2010 Management Plan to FY2011 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2010 Management Plan	1,276.4	0.0	0.0	1,276.4
Adjustments which will continue current level of service:				
-FY2011 Health Insurance Cost	24.8	0.0	0.0	24.8
Increase Non-Covered Employees				
FY2011 Governor	1,301.2	0.0	0.0	1,301.2

**Alaska Public Offices Commission
Personal Services Information**

Authorized Positions			Personal Services Costs	
	<u>FY2010 Management Plan</u>	<u>FY2011 Governor</u>		
Full-time	12	12	Annual Salaries	657,328
Part-time	0	0	Premium Pay	0
Nonpermanent	0	0	Annual Benefits	377,731
			<i>Less 3.98% Vacancy Factor</i>	(41,159)
			Lump Sum Premium Pay	0
Totals	12	12	Total Personal Services	993,900

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney I	1	0	0	0	1
Assoc Attorney II	1	0	0	0	1
Asst Dir APOC	1	0	0	0	1
Exec Dir APOC	1	0	0	0	1
Investigator III	1	0	0	0	1
Law Office Assistant I	0	0	1	0	1
Office Assistant II	1	0	0	0	1
Paralegal I	1	0	1	0	2
Paralegal II	1	0	0	0	1
Project Coord	0	0	1	0	1
Secretary	1	0	0	0	1
Totals	9	0	3	0	12

Component Detail All Funds

Department of Administration

Component: Alaska Public Offices Commission (70)

RDU: Alaska Public Offices Commission (22)

	FY2009 Actuals	FY2010 Conference Committee	FY2010 Authorized	FY2010 Management Plan	FY2011 Governor	FY2010 Management Plan vs FY2011 Governor	
71000 Personal Services	873.8	969.1	969.1	969.1	993.9	24.8	2.6%
72000 Travel	34.7	25.0	25.0	25.0	25.0	0.0	0.0%
73000 Services	305.8	271.1	271.1	271.1	271.1	0.0	0.0%
74000 Commodities	21.0	9.7	9.7	9.7	9.7	0.0	0.0%
75000 Capital Outlay	0.0	1.5	1.5	1.5	1.5	0.0	0.0%
77000 Grants, Benefits	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
78000 Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Totals	1,235.3	1,276.4	1,276.4	1,276.4	1,301.2	24.8	1.9%
Fund Sources:							
1004 Gen Fund	1,190.4	1,231.5	1,231.5	1,231.5	1,256.3	24.8	2.0%
1005 GF/Prgm	44.9	44.9	44.9	44.9	44.9	0.0	0.0%
General Funds	1,235.3	1,276.4	1,276.4	1,276.4	1,301.2	24.8	1.9%
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Other Funds	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Positions:							
Permanent Full Time	12	12	12	12	12	0	0.0%
Permanent Part Time	0	0	0	0	0	0	0.0%
Non Permanent	0	0	0	0	0	0	0.0%

Change Record Detail - Multiple Scenarios With Descriptions
Department of Administration

Component: Alaska Public Offices Commission (70)

RDU: Alaska Public Offices Commission (22)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions PFT	PPT	NP
***** Changes From FY2010 Conference Committee To FY2010 Authorized *****												
FY2010 Conference Committee												
1004 Gen Fund	ConfCom	1,276.4	969.1	25.0	271.1	9.7	1.5	0.0	0.0	12	0	0
1005 GF/Prgm		1,231.5										
		44.9										
Subtotal		1,276.4	969.1	25.0	271.1	9.7	1.5	0.0	0.0	12	0	0
***** Changes From FY2010 Authorized To FY2010 Management Plan *****												
ADN 02090161 Add PCN 02-0027												
PosAdj		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0	0
Add one full time Associate Attorney I, PCN 02-0027. A new Associate Attorney I position is needed for the increased case loads. A full time Accounting Technician II (PCN 02-1316) will be deleted therefore no new funding is being requested.												
ADN 02090161 Delete PCN 02-1316												
PosAdj		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-1	0	0
Delete PCN 02-1316, Accounting Technician I. This is necessary to create a full time Associate Attorney I position in this component for additional case loads. No new funding will be requested.												
Subtotal		1,276.4	969.1	25.0	271.1	9.7	1.5	0.0	0.0	12	0	0
***** Changes From FY2010 Management Plan To FY2011 Governor *****												
FY2011 Health Insurance Cost Increase Non-Covered Employees												
SalAdj		24.8	24.8	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		24.8										
Costs associated with Health Insurance Increases.: \$24.8												
Totals		1,301.2	993.9	25.0	271.1	9.7	1.5	0.0	0.0	12	0	0

Personal Services Expenditure Detail **Department of Administration**

Scenario: FY2011 Governor (7749)
Component: Alaska Public Offices Commission (70)
RDU: Alaska Public Offices Commission (22)

PCN	Job Class Title	Time Status	Retire Code	Barg Unit	Location	Salary Sched	Range / Step	Comp Month	Split / Count	Annual Salaries	COLA	Premium Pay	Annual Benefits	Total Costs	GF Amount
02-0025	Investigator III	FT	A	XE	Anchorage	AA	18A / B	12.0		54,520	0	0	31,391	85,911	85,911
02-0026	Assoc Attorney II	FT	A	XE	Anchorage	AA	19A / B	12.0		59,028	0	0	32,907	91,935	91,935
02-0027	Assoc Attorney I	FT	A	XE	Anchorage	AA	17J	12.0		62,280	0	0	34,001	96,281	96,281
02-1301	Exec Dir APOC	FT	A	XE	Anchorage	AA	24E / F	12.0		95,940	0	0	45,321	141,261	141,261
02-1302	Asst Dir APOC	FT	A	XE	Anchorage	AA	21B / C	12.0		69,008	0	0	36,263	105,271	105,271
02-1303	Secretary	FT	A	XE	Anchorage	AA	11D / E	12.0		37,412	0	0	25,638	63,050	63,050
02-1309	Project Coord	FT	A	XE	Juneau	AA	18D / E	12.0		61,574	0	0	33,763	95,337	95,337
02-1310	Paralegal I	FT	A	XE	Anchorage	AA	13C / D	12.0		41,960	0	0	27,167	69,127	69,127
02-1311	Paralegal II	FT	A	XE	Anchorage	AA	16C / D	12.0		51,360	0	0	30,328	81,688	81,688
02-1313	Law Office Assistant I	FT	A	XE	Juneau	AA	11A / B	12.0		35,076	0	0	24,852	59,928	59,928
02-1319	Office Assistant II	FT	A	XE	Anchorage	AA	10N / O	12.0		45,634	0	0	28,403	74,037	74,037
02-1369	Paralegal I	FT	A	XE	Juneau	AA	14B / C	12.0		43,536	0	0	27,697	71,233	71,233

	Total Positions	New	Deleted	Total Salary Costs:	657,328
Full Time Positions:	12	0	0	Total COLA:	0
Part Time Positions:	0	0	0	Total Premium Pay::	0
Non Permanent Positions:	0	0	0	Total Benefits:	377,731
Positions in Component:	12	0	0	Total Pre-Vacancy:	1,035,059
				Minus Vacancy Adjustment of 3.98%:	(41,159)
				Total Post-Vacancy:	993,900
Total Component Months:	144.0			Plus Lump Sum Premium Pay:	0
				Personal Services Line 100:	993,900

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1004 General Fund Receipts	1,035,059	993,900	100.00%
Total PCN Funding:	1,035,059	993,900	100.00%

Note: If a position is split, an asterisk (*) will appear in the Split/Count column. If the split position is also counted in the component, two asterisks (**) will appear in this column.
[No valid job title] appearing in the Job Class Title indicates that the PCN has an invalid class code or invalid range for the class code effective date of this scenario.